

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PHILIP E. RAMSEY, ESQ.,	:	CIVIL ACTION NO. 1:22-CV-900
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
AMTRAK,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 15th day of August, 2022, upon consideration of the report (Doc. 7) of Chief Magistrate Judge Karoline Mehalchick, wherein Judge Mehalchick recommends that the court dismiss this case without prejudice until such time that Ramsey pays the full \$402.00 filing fee, and the court noting that no objections have been filed to date, see FED. R. CIV. P. 72(b)(2), and further noting that failure of a party to timely object to a magistrate judge's conclusions "may result in forfeiture of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford "reasoned consideration" to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to "satisfy itself that there is no clear error on the face of the record," FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of the record, the court

agrees with Judge Mehalchick's analysis and recommendation, in part, and, it is hereby ORDERED that:

1. The report and recommendation (Doc. 7) is APPROVED and ADOPTED IN PART and REJECTED IN PART as follows:
 - a. The part of the report and recommendation denying plaintiff's application to proceed *in forma pauperis* is APPROVED and ADOPTED.
 - b. The part of the report and recommendation dismissing this action until the full \$402.00 filing fee is paid is REJECTED.
2. Plaintiff's motion (Doc. 2) for leave to proceed *in forma pauperis* is DENIED.
3. On or before September 14, 2022, plaintiff shall TENDER to the "Clerk, U.S. District Court" payment in the amount of \$402.00, which represents a statutory filing fee in the amount of \$350.00 and a \$52.00 Administrative Fee.¹
4. Failure to comply with this order will result in dismissal of the action.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania

¹ To date, no payments have been received by the court.